

SANCTUARY ADVISORY COUNCIL

Thursday, July 8, 1999
10:00 a.m. - 3:00 p.m.
Honolulu International Airport
Interisland Terminal, 7th Floor

Meeting Minutes

Attendance

SAC Members Present: Ron Bass, Hannah Bernard, Bill Friedl, Walter Haas, June Harrigan, Lou Herman, Greg Kaufman, Bill Lennan, Craig MacDonald, Keli'ipio Mawae, Patty Miller, Paul Nachtigall, Gene Nitta, Dick Poirier, Bob Schroeder, Glenn Soma, Claud Sutcliffe, Mike Stanton, Mike Tosatto, Jeff Walters, Terry White.

SAC Alternates Present: Paul Achitoff, Linda Bruckner.

Excused: James Coon, Colette Machado, Charles Maxwell.

Others Present:

NOAA: Kellie Araki, Naomi McIntosh, Jean Souza, Allen Tom.

PMRF-Navy: Michael Dick, James Hager.

DOT: Dean Watase.

NMFS: Margaret Dupree.

Distributed Materials

- Meeting Agenda
- Final Meeting Minutes (5/13/99)
- Draft Resolution for Coral Reef Legislation
- Draft Resolution for HIHWNMS Funding
- Chair's Report
- SAC Letterhead (Draft)
- PMRF Hawaiian Shallow Water Training Range Presentation Materials
- Conservation Subcommittee Meeting Agenda
- WESPAC Coral Reef Ecosystem Plan Team Meeting Agenda
- Parliamentary Training Materials
- National Marine Sanctuary Penalty Schedule

Welcoming Remarks

The meeting was called to order at 10:20 a.m. by SAC Vice Chairman Dick Poirier (filling in for James Coon). Mr. Poirier briefly reviewed the meeting's agenda and made an introduction of guests in attendance. Michael Dick and Jim Hager from the Pacific Missile Range Facility in Kauai were introduced as guest presenters for the SAC and Jeff Walters was introduced as the new State Sanctuary Co-Manager. Mr. Poirier called for the approval of minutes taken from the last meeting held on May 13, 1999. Minutes were approved as distributed.

Filling of Vacancies

Sanctuary Manager Allen Tom announced that the Hawaii County seat is still under review. Mr. Tom indicated that a tie between candidates had occurred, requiring a revote between the two finalists. He expressed that this vote was important in providing additional information to NOAA when making the final decision. Mr. Tom also noted that the Research alternate seat is also undergoing the selection process and votes are currently being tabulated. Mr. Tom also remarked that public interest in participating on the SAC appears to be waning due to the sparse return of applications.

SAC Chair Report

Mr. Poirier distributed copies of the Chair's Report which discussed meeting and agenda protocol as identified at the previous meeting. Protocol reads as follows:

- Meetings will follow Robert's Rules to the maximum extent possible
- Any SAC member may request of the chair that something be added to the agenda
- No discussion during committee reports until after reports are given
- No motions can be made during committee reports
- New business will always begin with a motion or proposal of some kind
- If time expires, chair will defer the item to the end of the agenda, at which time discussion will continue
- SAC secretary will serve as timekeeper

New additions to meeting protocol include:

- All SAC standing committees (Conservation, Education, and Research) to be a permanent part of agenda under "Committee and Other Reports."
- All SAC island representatives (Oahu, Kauai, and Maui) to be a permanent part of agenda under "Committee and Other Reports."

Mr. Poirier discussed the development of an ad hoc committee to look into how the SAC would like to define, utilize or eliminate the use of working groups, ad hoc groups, committees and subcommittees. Such changes would be reflected on the SAC charter. Ad hoc committee members include the following: Greg Kaufman (chair), Lou Herman, Bill Lennan, Patty Miller, Paul Nachtigall and Dick Poirier.

Sanctuary Manager Report

Mr. Tom reminded the SAC about National Geographic's Sustainable Seas Expedition project which will be coming to Hawaii in January 2000. Mr. Tom also announced that he will be going to Washington, DC within the next week to review the Sanctuary's budget and discuss the program's latest activities. He indicated that it was particularly important for the SAC to finalize

Mr. Poirier's resolutions on coral reef legislation and Sanctuary funding so that he could provide these documents to the headquarters staff.

Mr. Tom distributed copies of a penalty schedule for violations occurring within the Hawaiian Islands Humpback Whale National Marine Sanctuary boundaries. This schedule was developed by Paul Ortiz in NOAA and any questions regarding this schedule can be directed to him. Mr. Tom also indicated that Gene Nitta, National Marine Fisheries Service (NMFS) representative on the SAC, has accepted another position within NMFS and will be relocating to Washington, DC in August. This will be Mr. Nitta's last SAC meeting; a replacement has not yet been appointed.

State Co-Manager Report

Mr. Poirier introduced Jeff Walters, the newly-selected state co-manager for the Sanctuary program. Dr. Walters joins the Sanctuary after working for two years in the State Office of Planning (OP) as a planning and policy analyst with Hawaii's Coastal Zone Management Program. With the CZM Program, Dr. Walters assisted in the review and implementation of the Kaneohe Bay Master Plan, provided staff support for the Marine and Coastal Zone Management Advisory Group (MACZMAG), and was involved in a number of other CZM activities. Prior to his work at OP, Dr. Walters was a research fellow at the East-West Center where he worked on a variety of marine conservation and management projects in Southeast Asia, including the Philippine Coastal Resources Management Project funded by the US Agency for International Development (USAID). Dr. Walters also prepared a handbook for USAID on community-based coastal resources management that has been used to facilitate community-based projects throughout tropical Asia. Dr. Walters currently serves on the coral reef ecosystem planning team of the Western Pacific Regional Fisheries Management Council, and on the Hawaii Hazard Mitigation Forum sponsored by State Civil Defense. Dr. Walters' educational background includes a B.S. in chemistry from Eckerd College, an M.S. in oceanography from the University of Washington, and a Ph.D. in geography from the University of Hawaii.

Dr. Walters indicated that he has been busy getting settled in his new position with the Department of Land and Natural Resources (DLNR) and would like to go on a "listening tour" to hear all of the SAC's interests and concerns. Dr. Walters also noted that DLNR has begun to initiate the selection process for hiring an outreach coordinator for the Sanctuary. Although they are still in the early stages of the process, Dr. Walters stated that he has obtained the State's approval to go forward. The Outreach Coordinator will be based on Oahu and will be primarily responsible for raising public awareness on a number of Sanctuary related issues.

Dr. Walters has been trying to familiarize himself with various aspects of the program including the current budget situation and upcoming activities. Although he has some ideas for the Sanctuary program, his vision for the program is still evolving. For those interested in contacting Dr. Walters, he can be reached at: 587-0100 or jwalters@lava.net (temporary e-mail).

Research Working Group

Research Chair Paul Nachtigall acknowledged that the group has not met recently as he has been busy planning the thirteenth annual Marine Mammal Conference which will be held on Maui in November 1999. The conference will cover a number of topics including workshops on acoustics, satellite monitoring of whales, and swimming with marine mammals. For more information on the conference or to register, go to: <http://pegasus.cc.ucf.edu/~smm/conf1999a.htm>

On another note, June Harrigan stated that Ed Laws has been hired as the contractor to prepare the Department of Health's water quality report. Mr. Laws will be collecting data on sediment and nutrient loads as well as looking at sediment plumes and whale distribution. The work plan is expected to be prepared ninety days after the contract is signed, probably in December 1999.

Conservation Subcommittee

Lou Herman, Conservation Chair, briefly discussed the agenda items from the subcommittee meeting which was held just prior to the SAC meeting at 9:15 a.m.. Agenda items included:

1. Conservation Committee commentary on potential impacts of new Maui underwater listening range and underwater submarine communications on humpback whales;
2. Conservation Committee commentary on proposed reauthorization of ATOC project on Kauai;
3. Conservation Committee commentary on Coral Reef Protection Act of 1992;
4. Should the SAC create a cetacean management plan for Hawaiian waters?; and
5. Should the SAC review marine mammal approach regulations?

With regard to Maui's proposed underwater listening range, the Conservation Subcommittee passed a motion to listen to the PMRF presentation by Michael Dick and hear commentary from the Burial Council on Maui prior to making any further decisions on the issue.

An additional motion was made to invite ATOC representatives to make a presentation at the next SAC meeting. The committee indicated that they would recommend continuing the marine mammal research and monitoring aspect of the ATOC project. However, this recommendation will be reserved until more details on the monitoring are provided.

For those interested in submitting scoping comments on the ATOC project, deadline for submittal is August 15, 1999. Forward comments to the following:

Office of Naval Research
c/o Kathleen Vigness
Marine Acoustics, Inc.
901 Stuart Street, Suite 708
Arlington, VA 22203

cc: Peter Worcester
Scripps Institution of Oceanography
IGPP 0225 ATOC
9500 Gilman Drive
La Jolla, CA 92093-0225

Education Working Group

Education Chair Patty Miller distributed copies of three Request for Proposals (RFP) that were drafted following the working group's teleconference meeting held on June 9, 1999. These RFPs focus on promoting Sanctuary education and awareness through the development of a Sanctuary internet website, a poster, and interpretive signage. RFPs will be sent out to the SAC with a 24-

hour review period prior to public distribution and newspaper advertisement. According to the subcommittee, RFPs will be formalized and distributed by August 1, 1999 with a proposal deadline of August 31, 1999. Selections will then be made by the middle of September. Ms. Miller indicated that the SAC would be consulted on project content and contractor selection.

Of the three projects, the website was considered to be the most important and would contain a variety of information including education on whales and the Sanctuary, research information and activities, a kid's page, and links to other sanctuaries and related sites. Hannah Bernard remarked that the webmaster that designed the site for Hawaii Wildlife Fund (HWF) was very reasonable and did excellent work. For those interested in seeing HWF's website, it can be accessed at:
<http://www.aloha.net/~wild/>

With regard to the poster, the working group indicated that the contractor will provide an camera-ready poster original but the Sanctuary will be responsible for printing. The interpretive signage project was tabled until the next SAC meeting as a number of details needed to be determined such as sign locations and content.

Presentations

SAC letterhead samples were distributed and members were asked to choose from three logo choices. Votes were collected and logo number three (submitted by Dr. Lou Herman) was selected for the official SAC letterhead.

Gene Nitta of the National Marine Fisheries Service presented information on a proposed incidental take permit for humpback whales. According to Mr. Nitta, a similar permit exists for Alaska fisheries.

Following Mr. Nitta's presentation, Michael Dick of the US Navy's Pacific Missile Range Facility (PMRF) in Kauai gave an overview of the Hawaiian Shallow Water Training Range (HISWTR) project being proposed in Maui waters. According to Mr. Dick, this Navy project is being funded by Senator Inouye to increase training realism for submarines in shallow water through the use of an underwater tracking system. Project impacts include the installation of an underwater fiber-optic cable which would run from the Sanctuary's Maui site to 50 feet below the ancient Hawaiian fishpond and out past the reef. Total range area would be 60 square miles with 52 passive hydrophones and eight bidirectional hydrophones/underwater telephones mounted on the sea floor. Mr. Dick noted that PMRF would provide audio signal to NOAA for use in their whale visitor center when the tracking system is not in use (Navy operations would reserve tracking system for one or two days per month). The tracking system would be available for whale researchers and visitors and has the potential to become the largest acoustic research facility for whales in the world.

Some members of the SAC observed that the Maui Burial Council has shown opposition to this project and has requested that the SAC be apprised of their concerns. The public is welcome to submit comments at anytime during the development of the Draft Environmental Assessment of this project. Comments should be addressed to:

Captain James Bowlin
Commanding Officer
Pacific Missile Range Facility
P.O. Box 128
Kekaha, Hawaii 96752

New Business

Mr. Poirier distributed draft copies of the two proposed resolutions to support increased funding for the Hawaiian Islands Humpback Whale National Marine Sanctuary and to support Congressional coral reef legislation and funding. A motion was made to adopt these two resolutions. Both were approved with minor amendments.

Mr. Poirier called for a vote on lunch arrangements for future SAC meetings. A motion was made that SAC members provide their own lunch at meetings. Motion failed. A second motion was made that Mr. Walters look into providing lunch with state funds. Motion passed and Mr. Walters will determine the feasibility of state options in this regard and report back to the SAC at the next meeting.

Dr. Herman proposed a motion that the SAC provide commentary on the ATOC project requesting that the project applicants continue with and expand on the marine mammal research and monitoring program should ATOC be permitted to continue. SAC commentary will be provided to Scripps or the appropriate agency regarding this matter. Motion carried.

Ms. Miller made a motion that the SAC support the recommendations of the Education Working Group to fund the three projects discussed earlier (website, poster and signage) and proceed with the RFPs. The motion passed.

With regard to the National Marine Sanctuary penalty schedule that was distributed earlier, Mr. Poirier called for the formation of an ad hoc committee to evaluate the schedule and to formulate an appropriate way to present it to the public. Committee will be chaired by June Harrigan.

Unfinished Business

Dr. Herman called for a show of hands of those interested in holding a Conservation Subcommittee video conference meeting sometime between August 6 - 14, 1999. Dr. Herman received a positive response from 7 subcommittee members and requested that interested participants see Ms. Miller at the end of the meeting to set a meeting date.

Ms. Miller notified the SAC that Thursday meetings do not fit into her schedule and she will have to miss the first half of the next meeting. The SAC acknowledged that this was the last meeting set on the schedule and they will take that into consideration when they determine the SAC calendar at the next meeting.

With no further business, the meeting was adjourned at 1:40 p.m.. Parliamentary training on Robert's Rules of Order commenced immediately following adjournment.

The next SAC meeting is scheduled for Thursday, September 9, 1999 at the Honolulu International Airport.